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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Eugene Scalia,
Secretary of Labor,
United States Department of Labor,

Plaintiff,
v.

Unforgettable Coatings, Inc., a Nevada
Corporation; Unforgettable Coatings of Idaho,
LLC, dba Unforgettable Coatings, a Nevada
Limited Liability Company; Unforgettable
Coatings of Arizona, LLC, dba Unforgettable
Coatings, an Arizona Limited Liability
Company; Unforgettable Coatings of Utah,
Inc., dba Unforgettable Coatings, a Utah
Corporation; Shaun McMurray, an individual;
Shane Sandall, an individual; Cory
Summerhayes, an individual;

Defendants.

Case No. 2:20-cv-00510-KJD-BNW

STIPULATION TO EXTEND
DEADLINE FOR SECRETARY TO
OPPOSE DEFENDANTS' MOTION
TO DISMISS

Plaintiff Secretary of Labor, United States Department of Labor ("Secretary") and Defendants
Unforgettable Coatings, Inc., Unforgettable Coatings of Idaho, LLC, dba Unforgettable Coatings,
Unforgettable Coatings of Arizona, LLC, dba Unforgettable Coatings Unforgettable Coatings of Utah,
Inc., dba Unforgettable Coatings, Shaun McMurray, Shane Sandall, Cory Summerhayes [sic]

STIPULATION TO EXTEND TIME

1 (“Defendants”) (collectively “the Parties”) hereby stipulate that the Secretary shall have an extension to
2 May 29, 2020 to file his Opposition to the Defendants’ Motion to Dismiss. The Secretary’s Opposition
3 is currently due on May 15, 2020. This Stipulation is submitted and based upon the following:

- 4 1. The Secretary filed his Complaint on March 12, 2020. ECF No. 1.
- 5 2. Defendants filed their Motion to Dismiss on May 1, 2020. ECF No. 25.
- 6 3. The Secretary’s Opposition to the Motion to Dismiss is currently due on May 15, 2020.
- 7 4. The Parties wish to begin settlement discussions, and a two-week extension to oppose the
8 Motion to Dismiss would allow the Parties time to engage in good faith in settlement discussions.
- 9 5. This is the first request for an extension of time for the Secretary to file a response to
10 Defendants’ Motion to Dismiss.

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1 NOW, THEREFORE, the Parties hereby stipulate as follows:

2 6. The deadline for the Secretary to respond to the Defendants' Motion to Dismiss shall be May
3 29, 2020.

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5 Dated this 7th day of May, 2020

6 KATE S. O'SCANLAIN
7 Solicitor of Labor

JACKSON LEWIS P.C.

8 JANET M. HEROLD
9 Regional Solicitor

/s/ Lynne K. McChrystal
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Attorneys for Defendants

15 Attorneys for Plaintiff Eugene Scalia
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18 **ORDER**

19 IT IS SO ORDERED.

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21 United States District Judge

22 Dated: 5/11/2020
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